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## NOTICE OF ALLOWANCE AND FEE(S) DUE

26652

7590

05/19/2008

AT&T CORP.  
ROOM 2A207  
ONE AT&T WAY  
BEDMINSTER, NJ 07921

EXAMINER

KOVACEK, DAVID M

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 05/19/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,517	03/01/2004	Giuseppe De Fabbrizio	2002-0355B	1063

TITLE OF INVENTION: SYSTEM AND METHOD OF USING MODULAR SPOKEN-DIALOG COMPONENTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$0	\$0	\$1440	08/19/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to:** **Mail** **Mail Stop ISSUE FEE**  
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**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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26652 7590 05/19/2008  
**AT&T CORP.**  
**ROOM 2A207**  
**ONE AT&T WAY**  
**BEDMINSTER, NJ 07921**

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10790.517

03/01/2004

Giuseppe De Fabbrizio

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**TITLE OF INVENTION: SYSTEM AND METHOD OF USING MODULAR SPOKEN-DIALOG COMPONENTS**

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nonprovisional	NO	\$1440	\$0	\$0	\$1440	08/19/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
KOVACEK, DAVID M	2626	704-275000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/790,517	03/01/2004	Giuseppe De Fabbrizio	2002-0355B	1063
26652	7590	05/19/2008	EXAMINER	
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			KOVACEK, DAVID M	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 05/19/2008

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 837 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 837 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

# Notice of Allowability

## Application No.

10/790,517

## Examiner

DAVID KOVACEK

## Applicant(s)

DE FABBRIZIO ET AL.

## Art Unit

2626

### - The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Remarks, 04/25/2008.
2. ☒ The allowed claim(s) is/are 9, 13-14, 16, 20-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 03/12/2008
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.  
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **DETAILED ACTION**

1. This Office Action is in response to the amendment by the applicant, filed 04/25/2008, in which the applicant submitted amendments to the Specification, canceled **claims 1-8, 10-12, 17-19, 23-25 and 27-30**, and amended **claims 9, 22, and 26**.

### ***Response to Amendment***

2. The applicant's amendments to the Abstract have been considered and are accepted.
3. The applicant's amendments to **claims 9 and 16** have been considered and are accepted.

### ***Allowable Subject Matter***

4. **Claims 9, 13-14, 16, and 20-21** are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding **claim 9**, the reference closest to the claimed subject matter is Chapados (US Patent 6,356,869), cited in a previous Office Action.

Chapados discloses a method of switching contexts [transitions] in a dialog system comprising:

- while the spoken dialog is being controlled by the first flow controller [discourse management processor], receiving context-changing input associated with speech from a user that changes a dialog context (Col. 9, lines 41-46);
- comparing the context-changing input to at least one context shift (Col. 9, lines 41-46);

The examiner contends that though this limitation is not explicitly disclosed by Chapados, it is inherent in any system that includes context shifts [transitions] based upon user input, such as the one disclosed by Chapados.

- if any of the context shifts [transitions] are activated by the comparing step, then passing control to an invoked second flow controller [another state] indicated by the context shift (Col. 7, line 66 - Col. 8, line 03; Col. 8, lines 06-16; Col. 9, line 65 - Col. 10, line 53); and

It is noted by the examiner that in addition to providing a written disclosure of this limitation, Chapados further teaches several specific operational examples that are applicable to this limitation (Col. 9, line 65 - Col. 10, line 53).

- if no context shift is activated by the comparing step, then maintaining control [stopping transitions] of the spoken dialog with the first flow controller (Col. 10, lines 61-67).

The examiner contends that though Chapados does not explicitly disclose multiple flow controllers that are finite state models, it is implied in the disclosure of multiple operating states, and is further rendered obvious in the disclosure of Chapados.

Chapados discloses a discourse management processor that is capable of self transitioning (Col. 9, lines 18-21). It is within the capabilities of one of ordinary skill in the art to implement the same features using multiple discourse managers that are each capable of transitioning to any other discourse manager in order to reduce the necessary complexity of the operations required of each discourse manager. One of ordinary skill in the art would have no reason not to expect success given this implementation of the teachings of Chapados. Therefore, the examiner contends that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Chapados in order to implement a plurality of discourse managers comprising finite state models, each capable of transitioning to any other discourse manager to reduce the necessary complexity of any single discourse manager.

However, Chapados does not properly disclose that a second flow controller [state] receives data values stored in the local context of a first flow controller.

Chapados does further disclose a data storage unit (Col. 6, lines 26-29), which stores parameters and data elements for use by subdialogs [functional modules]. However, Chapados does not properly disclose an association of this data storage unit with the top level flow controllers [discourse managers], or the states within the top level flow controllers, instead only associating this storage with the subdialogs.

The other relevant prior art found does not adequately disclose this limitation in a manner that would anticipate or properly render obvious a plurality of top level flow controllers transmitting data in a unilateral direction because of a context shift.

Therefore, for these reasons, **claim 9** is allowed over the prior art.

Regarding **claims 13-14**, each of these claims is dependent upon allowed **claim 9**, and merely provides further limitation to the subject matter of **claim 9**. Therefore, **claims 13-14** are allowed for at least the same reasons as applied above to **claim 9**.

Regarding **claims 16** and **20-21**, these claims are very similar to allowed **claims 9** and **13-14** respectively. These claims are in fact directed to a computer-readable medium for storing instructions for controlling a computing device to implement the method of **claims 9** and **13-14** respectively, and are therefore allowed for the same reasons as applied above to **claims 9** and **13-14**.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID KOVACEK whose telephone number is (571)270-3135. The examiner can normally be reached on M-F 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DMK, 05/06/2008

/David R Hudspeth/

Supervisory Patent Examiner, Art Unit 2626